

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

ZIMMER DEVELOPMENT	:	
COMPANY, LLC,	:	
Plaintiff,	:	No. 20-cv-4465-JMY
	:	
v.	:	
	:	
TVC DEVELOPMENT COMPANY, LLC,	:	
AND THOMAS F. VERRICCHIA,	:	
Defendants.	:	

ORDER

AND NOW, this 28th day of June, 2022 upon consideration of the Motion for Summary Judgment filed by the Plaintiff (ECF No. 31) and the Partial Motion for Summary Judgment filed by the Defendants (ECF No. 34), and all papers filed in support thereof and in opposition thereto, for the reasons set forth in the accompanying Memorandum filed by the Court, it is hereby ORDERED that the Defendants' Partial Motion for Summary Judgment is GRANTED in part and DENIED in part as follows:

1. Defendants' Partial Motion for Summary Judgment on the theory of conversion in conjunction with the conjoined request for punitive damages is GRANTED, and Plaintiff's claim for conversion along with the request for punitive damages is dismissed;

2. Defendants' Partial Motion for Summary Judgment is GRANTED in relationship to Plaintiff's theory of account stated, and Plaintiff's theory for account stated is dismissed; and

3. Defendants' Partial Motion for Summary Judgment is GRANTED in relationship to Plaintiff's theory of breach of contract on the purported Indiana Project loan, and Plaintiff's theory for breach of contract in relationship to a purported Indiana Project loan is dismissed.

It is further ORDERED that both Motions are DENIED in all other regards.

IT IS SO ORDERED.

BY THE COURT:

/s/ John Milton Younge
Judge John Milton Younge